IN THE HIGH COURT OF KERALA AT ERNAKULAM
PRESENT :

THE HONOURABLE MR. JUSTICE K.S.RADHAKRISHNAN
&
THE HONOURABLE MR. JUSTICE ANTONY DOMINIC

TUESDAY, THE 10TH JULY 2007 / 19TH ASHADHA 1929

WA.No. 1571 of 2007()

AGAINST THE JUDGEMENT IN WPC.6363/2007 Dated 01/03/2007
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APPELLANT: 5TH RESPONDENT;

SALI K.CHERIAN, JUNIOR SCIENTIFIC
OFFICER, REGIONAL CHEMICAL EXAMINER'S LABORATORY,
KAKKANAD, ERNAKULAM.

BY ADV. SRI.S.P.ARAVINDAKSHAN PILLAY
SMT.N.SANTHA
SRI.K.A.BALAN
SRI.PETER JOSE CHRISTO
SRI.S.A.ANAND

RESPONDENTS: PETITIONER & RESPONDENTS 1 TO 4 AND 6 TO 14:
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1. JOSE MELVIN P.L., JUNIOR SCIENTIFIC
OFFICER, REGIONAL CHEMICAL EXAMINER'S LABORATORY,
KAKKANAD, ERNAKULAM DISTRICT.

2. STATE OF KERALA REPRESENTED BY
SECRETARY TO GOVERNMENT, DEPARTMENT OF HOME
AFFAIRS, SECRETARIAT, THIRUVANANTHAPURAM.

3. CHIEF CHEMICAL EXAMINER TO GOVERNMENT,
CHEMICAL EXAMINER'S LABORATORY,
THIRUVANANTHAPURAM.

4. M.V.SIVANKUTTY, ASSISTANT CHEMICAL
EXAMINER, REGIONAL CHEMICAL EXAMINER'S LABORATORY,
KAKKANADM, ERNAKULAM DISTRICT.

5. K.D.ANIE, JUNIOR SCIENTIFIC OFFICER,
REGIONAL CHEMICAL EXAMINER'S LABORATORY
KAKKANAD, ERNAKULAM DISTRICT.

6. K.T.SASI, JUNIOR SCIENTIFIC OFFICER,
REGIONAL CHEMICAL EXAMINER'S LABORATORY
KAKKANAD, ERNAKULAM DISTRICT.

7. N.ABDUL VAHID, JUNIOR SCIENTIFIC OFFICER
CHEMICAL EXAMINER'S LABORATORY,
THIRUVANANTHAPURAM-35.

8. C.RAJAN PILLAI,JUNIOR SCIENTIFIC OFFICER
CHEMICAL EXAMINER'S LABORATORY,
THIRUVANANTHAPURAM-35.

9. A.RAJASREE, JUNIOR SCIENTIFIC OFFICER,
CHEMICAL EXAMINER'S LABORATORY,
THIRUVANANTHAPURAM-35.

10. M.C.CHITRA, JUNIOR SCIENTIFIC OFFICER,
CHEMICAL EXAMINER'S LABORATORY,
THIRUVANANTHAPURAM-35.

11. M.LILA, JUNIOR SCIENTIFIC OFFICER,
CHEMICAL EXAMINER'S LABORATORY,
THIRUVANANTHAPURAM-35.

12. P.G.ASOK KUMAR,JUNIOR SCIENTIFIC OFFICER
CHEMICAL EXAMINER'S LABORATORY,
THIRUVANANTHAPURAM-35.

13. RAJALAKSHMI R.,JUNIOR SCIENTIFIC OFFICER
CHEMICAL EXAMINER'S LABORATORY,
KAKKANAD, ERNAKULAM DISTRICT.

14. JOSEPH, JUNIOR SCIENTIFIC OFFICER,
CHEMICAL EXAMINER'S LABORATORY,
KAKKANAD, ERNAKULAM DISTRICT.

BY ADV. SRI.KALEESWARAM RAJ FOR R1
GOVERNMENT PLEADER SRI. BENNY GERVASIS FOR R2&R3

THIS WRIT APPEAL HAVING BEEN FINALLY HEARD ON 10/07/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

K.S.Radhakrishnan
&
Antony Dominic, JJ.
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W.A.No.1571 of 2007
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Dated this the 10th day of July, 2007.

JUDGMENT

Radhakrishnan,J.

This appeal is preferred by the fifth respondent apprehending reversion of judgment of the learned single Judge is given effect to. We are informed that on the basis of the judgment of the learned single Judge, Government have already heard the parties on 21.6.2007 and orders are yet to be passed. Learned counsel for the appellant submitted that the Writ Petition filed by the petitioner is not maintainable due to delay and latches. Counsel referred to the case of one Renjith, who is junior to the appellant. Renjith filed W.P.(C) No.18940 of 2006 before this Court and this Court directed the first respondent therein – Secretary, Home Department to consider the matter after affording an opportunity of being heard to the affected persons. Accordingly, the matter was re-considered by the Government and the Government by Annexure IV order dated 9.1.2007 dismissed the application on the ground of delay. Counsel

therefore submitted that there is no point in considering the respondents' representation. We are of the view that these are all matters, for the Government to consider taking into consideration all aspects of the matter and pass appropriate orders.

With the above observation, this Writ Appeal is disposed of.

K.S.Radhakrishnan,
Judge.

Antony Dominic,
Judge.

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